

JPM 2131\$

DEC 03 2004

PTO/SB/21, (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

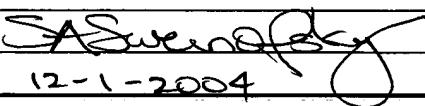
CIPR
PATENT & TRADEMARK OFFICE
DEMAILED

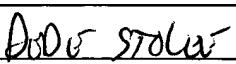
TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/728,701	
	Filing Date	Dec 1, 2000	
	First Named Inventor	Muhlestein, Mark	
	Art Unit	2131	
	Examiner Name	Abrishamkar, K.	
Total Number of Pages in This Submission	7+	Attorney Docket Number	103.1056.01

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form (2 copies) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO Form SB08A PTO Form SB08B Copies of References Return Postcard	
Remarks			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Steven A. Swernofsky	Reg. No. 33,040
Signature		
Date	12-1-2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Type or printed name			
Signature		Date	12/1/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



22883.

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

Complete if Known

Application Number	09/728,701
Filing Date	12/1/2000
First Named Inventor	Muhlestein
Examiner Name	Abrishamkar, K.
Art Unit	2131
Attorney Docket No.	103.1056.01

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None Deposit Account

Deposit Account Number	50-0365
Deposit Account Name	Swernofsky Law Group PC

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments Charge any additional fee(s) or any underpayment of fee(s) Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge – late filing fee or oath	
1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	

1251 110 2251 55 Extension for reply within first month

1252 430 2252 215 Extension for reply within second month

1253 980 2253 490 Extension for reply within third month

1254 1,530 2254 765 Extension for reply within fourth month

1255 2,080 2255 1,040 Extension for reply within fifth month

1401 340 2401 170 Notice of Appeal

1402 340 2402 170 Filing a brief in support of an appeal

1403 300 2403 150 Request for oral hearing

1451 1,510 1451 1,510 Petition to institute a public use proceeding

1452 110 2452 55 Petition to revive – unavoidable

1453 1,370 2453 685 Petition to revive – unintentional

1501 1,370 2501 685 Utility issue fee (or reissue)

1502 490 2502 245 Design issue fee

1503 660 2503 330 Plant issue fee

1460 130 1460 130 Petitions to the Commissioner

1807 50 1807 50 Processing fee under 37 CFR 1.17(q)

1806 180 1806 180 Submission of Information Disclosure Stmt

\$180.00

8021 40 8021 40 Recording each patent assignment per property (times number of properties)

1809 790 2809 395 Filing a submission after final rejection (37 CFR 1.129(a))

1810 790 2810 395 For each additional invention to be examined (37 CFR 1.129(b))

1801 790 2801 395 Request for Continued Examination (RCE)

1802 900 1802 900 Request for expedited examination of a design application

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00)

SUBMITTED BY

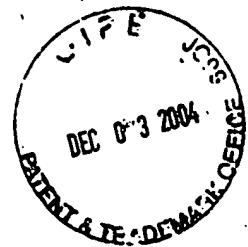
Complete (if applicable)

Name (Print/Type)	Steven A. Swernofsky	Registration No. (Attorney/Agent)	33,040	Telephone	650-947-0700
Signature				Date	12-1-2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Muhlestein
 Serial No. 09/728,701
 Filed: 12/1/2000
 For: Decentralized Appliance Virus
 Scanning

Art Unit: 2131

Examiner: Abrishamkar, K.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to:

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

on 12/11/2004 by DD
 Date Name

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner
 for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted under:

- 37 CFR 1.97(b)
 (Within three months of the national application filing or the entry of international application, OR before the mailing date of first Office Action, whichever occurs last.)
- 37 CFR 1.97(c) together with either a:
 Statement under 37 CFR 1.97(e)
or \$180.00 fee set forth in 37 CFR 1.17(p)
 (After the CFR 1.97(b) time period, but before final Office Action or Notice of Allowance, whichever occurs first.)
- 37 CFR 1.97(d) together with a:
 Statement under 37 CFR 1.97(e)
and \$180.00 fee set forth in 37 CFR 1.17(p)
 (After the CFR 1.97(c) time period, but before payment of the Issue fee.)

List of Documents

Applicant(s) submits herewith:

- Form PTO SB/08A (Information Disclosure Statement by Applicant) listing patent document(s) of which applicant(s) believes might be material to the examination of this application and for which there might be a duty to disclose in accordance with 37 CFR 1.56.
- Form PTO SB/08B (Information Disclosure Statement by Applicant) listing non-patent document(s) of which applicant(s) believes might be material to the examination of this application and for which there might be a duty to disclose in accordance with 37 CFR 1.56.

Copies of Documents

- Applicant(s) submits herewith copies of all listed documents.
- Copies of the listed documents are not included with this filing. Copies of these documents were previously submitted in the following related application:

Docket No.: _____
Serial No.: _____
Filed: _____

THE EXAMINER IS ENCOURAGED AND EXHORTED TO MAKE HIS OR HER OWN INDEPENDENT EVALUATION OF POSSIBLE RELEVANCE OF THE LISTED DOCUMENTS.

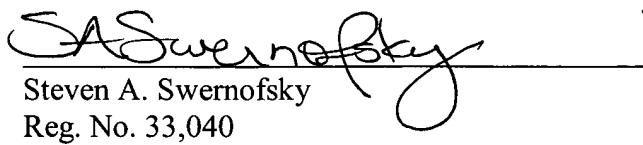
At the present time, Applicant(s) submits that the listed document(s), taken alone or in combination, neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

In the event fees are required, authorization is hereby granted to charge these fees to Deposit Account No. 50-0365.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

Date: 12-1-2004



Steven A. Swernofsky
Reg. No. 33,040

Swernofsky Law Group
P.O. Box 390013
Mountain View, CA 94039-0013
(650) 947-0700

Please type a plus sign (+) inside this box →

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

四

DEC 13 1968 Substitute for Form 1449A/P/10

~~MAILED~~ **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1 Attorney Docket Number 103.1056.01

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.

22883

PTO/SB/08B (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Please type a plus sign (+) inside this box ➔

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

DEC 03 2004

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Substitute for form 1449A/PTO		DEC 03 2004 PATENT & TRADEMARK OFFICE	Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			Application Number	09/728,701	
(use as many sheets as necessary)			Filing Date	12/1/2000	
			First Named Inventor	Muhlestein	
			Group Art Unit	2131	
			Examiner Name	Abrishamkar, K.	
Sheet	1	of	1	Attorney Docket Number	103.1056.01

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.